IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 129 OF 2005

META STRIPS LTD.AND ANR., ...Petitioners

Versus

M/S E.D.C.LTD., ...Respondent

Mr. A.N.S. Nadkarni With Mr. H.D. Naik, Advocates for the Petitioners.
Mr. C.A. Ferreira, Advocate for the Respondents.

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 3rd October, 2005

P.C.:

Heard Mr. A.N.S. Nadkarni, the learned counsel for the Petitioners and Mr. C.A. Ferreira, the learned counsel for the respondents.

2. On 5th September, 2005, the learned counsel for the petitioners sought time on the ground that he wanted to seek instructions from the petitioners whether they desire to prosecute this Writ Petition or apply to Hon'ble the Chief Justice for transfer of this Writ Petition to Bombay since the Company Petition is already filed there. We acceded to his request and adjourned the matter for two weeks.

Thereafter on 19th September, 2005 the application for adjournment was made on the ground that the petitioners have already moved the Chief Justice for transfer of this Writ Petition to Mumbai.

Today also the learned counsel for the petitioners prays for a week's time. We are unable to accede to the request of the learned counsel for the petitioners, as twice earlier the matter has been adjourned. On our refusal to adjourn the matter, the learned counsel for the petitioners

submits that the petitioners may be permitted to withdraw this Writ Petition and for a period of two weeks the ad-interim order passed by this Court on 29th March, 2005 may be permitted to remain operative to enable the petitioners to prosecute appropriate remedy under Section 391(6) of the Companies Act for redressal of the petitioners grievances.

There is not much serious objection to the course suggested by the learned counsel for the petitioners.

Writ Petition is, accordingly, allowed to be withdrawn with liberty as prayed. Ad-interim Order dated 29th March, 2005 shall remain operative for a period of two weeks.

R. M. LODHA, J.

N. A. BRITTO, J.

sl.